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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/898,480

Filing: 5 July 2001

Appellant(s): ANDREASON

ANDREASON
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 10/10/2008 appealing from the Office action mailed 3/19/2008.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is incorrect. A correct statement of the status of the claims is as follows:

This appeal involves claims 1-5, and 21-25.

Claims 7, 9-16, 18, and 20 allowed.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6,999,769	Henon	December 8, 1999
7,020,467	Tada	December 27, 2000

(9) Grounds of Rejection

Note: In this office action the punctuation “;” is used as separation between selected paragraph or column and lines according to the reference (e.g. 2:1-5, meaning paragraph 2 or column 2 accordingly, and lines 1-5).

Claim Rejections – 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action: in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made

Claims 1-5, and 21-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Henon (Henon U. S. Patent 6,999,769) in view of Tada (Tada, U. S. Patent 7,020,467).

Regarding claim 1, Henon discloses an arrangement in a telephony system (*e.g.*, *Fig 1-6, 2:60-67, 3:1-12, a telecommunication (telephony) system*) comprising: at least one mobile radio telephone (*Fig. 1(100), 3(312), 4(400), wireless telephone*) for being radio connected to a mobile radio telephony network in the telephony system via a radio link (*e.g.*, *Fig 1-6, 2:60-67, 3:1-3, 4:39-49, in a radio telephone network the wireless telephone (100, 312, 400) is being connected to the telephony network (e.g. 310) through radio link*);

and at least one stationary telephony terminal (*e.g.*, *Fig. 1-3, 5, the wired or "wireline" telephone (102, 314, 500)*),

wherein the stationary telephony terminal and the mobile radio telephone each have a short range transceiver for intercommunication via a short range wireless communication link (*e.g.*, *Fig. 1-6, 2:60-67, 3:1-12, the wired telephone (102, 314, 500) equipped with short-range transceivers (425) and wireless telephone (100, 312, 400) equipped with short-range transceivers (525) and using short range link (e.g. 112) to make connections*);

wherein the stationary terminal or the mobile radio telephone is arranged to establish [*a speech channel*] over the short range wireless communication link (*e.g.*, *Fig. 1-5, 4:39-49, 64-66, the wireless telephone (100, 312, 400) that is equipped with short-range transceivers (425) and wired telephone (102, 314, 500) that is equipped with short range*

transceiver (525) makes connection via wireless short range);

and wherein the stationary telephony terminal is arranged to communicate speech over the mobile radio telephony network via the mobile radio telephone with another telephone (e.g. Fig. 1-6, 5:14-24, the wired (stationary) telephone (102, 314, 500) is making call (talking or speech or vice) connection over the cellular (mobile radio) network (106) via wireless (mobile) telephone (100, 312, 400) with other telephone (e.g., 108)) including to transmit and receive speech signals over the [speech channel] established [over the] short range wireless communication link (e.g. Fig. 1-6, 5:14-24, 32-54, the short-range transceivers (e.g., 425, 525) of wireless (mobile) and wired (stationary) telephones transmit and receive voice (speech or call) signals via short-range wireless connection).

Henon does not specifically teach the speech channel, however, Henon teaches the wired (stationary) telephone (102, 314, 500) having short-range transceiver (525), and wireless (mobile) telephone (100, 312, 400) having short-range transceiver (425) linking call (voice, speech) over the radio short range link (e.g. 112) (e.g. Fig. 1-5, 5:14-24, 32-54).

In related art dealing with mobile communication via short-range wireless link (e.g., Fig 2-7, 5:11-27), Tada teaches the speech channel (e.g., Fig 2-7, 5:48-57, 6:13-15, 7:47-63).

It would have been obvious to one of ordinary skill in the art at the time invention was made to include Tada's Bluetooth/short-range mobile communications speech channel (SCO) with Henon's Bluetooth/short-range mobile communication "call" link to provide

efficient and reliable Bluetooth mobile communication link between the wireless and wired (*stationary*) telephones (Henon, 2:60-67, 3:1-12) “improving communication performance” and power consumption (Tada, *e.g.*, 1:65-67).

Regarding claim 21, Henon discloses a method for communicating in a telephony system via a communication arrangement (*e.g.*, Fig 1-6, 2:60-67, 3:1-12, *a telecommunication (telephony) system*) including a mobile radio for communicating over a radio link with a mobile radio telephony network and a stationary telephony terminal link (*e.g.* Fig. 1-6, 4:39-67, 5:1-3, *wireless (mobile) telephone (100, 312, 400) communicating over a RADIO LINK with base-station (104, 304) of telephone network (310, PSTIN) and wired (stationary) telephone (102, 314, 500) link (e.g., short range, 112)),*

the method comprising: communicating via a short range wireless communication link between the stationary telephony terminal and the mobile radio telephone (*e.g.* Fig. 1-6, 3:4-12, 4:53-67, 5:1-3, *wireless (mobile) telephone (100, 312, 400) communicating over a short range (112) with a wired (stationary) telephone (102, 314, 500)*, where the short range wireless communication link is separate from the radio link (*e.g.* Fig. 1-6, 3:4-12, 4:53-67, 5:1-3, *where the radio link connects the wireless telephone and wired telephone to a base station (e.g., 104, 304) and the a short range link connects the wireless and wired telephones (e.g. 112) to each other*);

establishing [*a speech channel*] over the short range wireless communication link for carrying speech signals between the stationary telephony terminal and the mobile radio

telephone (e.g., Fig. 1-5, 4:39-49, 64-66, the wireless telephone (100, 312, 400) that is equipped with short-range transceivers (425) and wired telephone (102, 314, 500) that is equipped with short range transceiver (525) and making call connections over the short range);

and communicating speech to or from the stationary telephony terminal over the mobile radio telephony network via the mobile radio telephone with another telephone communicating with the radio telephony network (e.g. Fig. 1-6, 5:14-24, the wired (stationary) telephone (102, 314, 500) is making call (talking or speech or vice) connection over the cellular (mobile radio) network (106) via wireless (mobile) telephone (100, 312, 400) with other telephone (e.g., 108)),

said communicating speech including transmitting and receiving speech signals over the [speech channel] established [over the] short range wireless communication link (e.g. Fig. 1-6, 5:14-24, 32-54, the short-range transceivers (e.g., 425, 525) of wireless (mobile) and wired (stationary) telephones transmit and receive voce (speech or call) signals via short-range wireless connection).

Henon does not specifically teach the speech channel, however, Henon teaches the wired (stationary) telephone (102, 314, 500) having short-range transceiver (525), and wireless (mobile) telephone (100, 312, 400) having short-range transceiver (425) linking call (voice, speech) over the radio short range link (e.g. 112) (e.g. Fig. 1-5, 5:14-24, 32-54).

In related art dealing with mobile communication via short-range wireless link (e.g., Fig 2-7, 5:11-27), Tada teaches the speech channel (e.g., Fig 2-7, 5:48-57, 6:13-15, 7:47-

63).

It would have been obvious to one of ordinary skill in the art at the time invention was made to include Tada's Bluetooth/short-range mobile communications speech channel (SCO) with Henon's Bluetooth/short-range mobile communication "call" link to provide efficient and reliable Bluetooth mobile communication link between the wireless and wired (*stationary*) telephones (Henon, 2:60-67, 3:1-12) "improving communication performance" and power consumption (Tada, *e.g.*, 1:65-67).

Regarding claim 2, Henon in view of Tada teach all the limitations in claim 1, and further, Henon teaches wherein the stationary telephony terminal has a device for taking a telephone number to a called subscriber (*e.g.*, 3:63-67, 4:1-18).

Regarding claim 3, Henon in view of Tada teach all the limitations in claim 1, and further, Henon teaches wherein the short range transceivers are radio transceivers (*e.g.*, 1:6-67, 2:49-67, 3:1-16, *the mobile terminal and stationary telephone having short-range transceiver for communication in short range wireless communication system, radio transceivers*).

Regarding claim 4, Henon in view of Tada teach all the limitations in claim 3, and further, Henon teaches wherein the short range radio transceivers are BLUETOOTH transceivers (*e.g.* Fig. 1, 6, 1:63-65, 3:7-22, 5:60-67, 6:3-19, *the short-range transceivers are BLUETOOTH*).

Regarding claim 5, Henon in view of Tada teach all the limitations in claim 1, and further, Henon teaches wherein the short range transceivers are optical transceivers (*e.g.*, 1:56-67, 2:52-54, 3:4-16, 4:50-52, *the short-range transceivers are optical*).

Regarding claim 22, Henon in view of Tada teach all the limitations in claim 21, and further, Henon teaches wherein when a call is placed from the another telephone to the mobile radio telephone (*e.g.*, Fig. 1-6, 1:58-67, 2:45-51, 3:53-62, *the call from the other telephone (108) goes to the mobile radio (110 or 400)*) the mobile radio telephone establishes the speech channel over the short range wireless communication link for carrying speech signals between the stationary telephony terminal and the mobile radio telephone (*e.g.*, Fig. 1-6, 1:58-67, 2:45-51, 3:53-62, *the mobile radio (110 or 400) over the short range establishes speech link (speech channel) via short-range wireless link with the stationary terminal (102 or 500)*), a ring tone is generated at the stationary telephony terminal (*e.g.*, Fig. 1-3, 4:10-13, and 3:4-16, *the ring is being generated at the wired telephone (stationary terminal)*), a user associated with the mobile radio telephone answers the call at the stationary telephony terminal (*e.g.*, Fig. 1-3, 4:10-18, 3:4-16, *the user answers the phone (off-hook) and the user is associated with the mobile terminal*), and speech signals from the stationary telephony terminal are provided over the established speech channel to the mobile radio telephone (*e.g.*, Fig. 1-6, 1:58-67, 2:45-51, 5:4-18, 6:4-19, 7:14-16), over the radio link, and via mobile radio telephone network to the another telephone (*e.g.*, Fig. 1-6, 2:45-51, 3:53-62, 6:1-19, 28-31, 55-59, 7:14-16).

Regarding claim 23, Henon in view of Tada teach all the limitations in claim 21, and further, Henon teaches wherein a user associated with the mobile radio telephone dials a telephone number associated with the another telephone at the stationary telephony terminal telephone (*e.g.*, *Fig. 1-6, 1:58-67, 2:45-51, 3:53-62, 6:1-19, 28-31, 55-59, 7:14-16*), the speech channel over the short range wireless communication link for carrying speech signals between the stationary telephony terminal and the mobile radio telephone is established (*e.g.*, *Fig. 1-6, 3:53-62, 5:4-18, 6:4-19, 7:14-16*), the mobile radio telephone requests a channel on the radio link, and the mobile radio telephony network conveys a call request to the another telephone (*e.g.*, *Fig. 1-6, 6:1-19, 28-31, 55-59, 7:14-16*).

Regarding claim 24, Henon in view of Tada teach all the limitations in claim 23, and further, Henon teaches wherein when the another telephone responds to the call request (*e.g.*, *Fig. 1-6, 6:1-19, 28-31, 55-59, 7:14-16*), speech signals from the stationary telephony terminal are communicated via the speech channel over the short range wireless communication link (*e.g.*, *Fig. 1-6, 1:58-67, 2:45-51, 3:53-62, 7:14-16*), the channel on the radio link, and the mobile radio telephony network to the another telephone (*e.g.*, *Fig. 1-6, 1:58-67, 2:45-51, 3:53-62*).

Regarding claim 25, Henon in view of Tada teach all the limitations in claim 1, and

further, Henon teaches wherein the stationary terminal includes a device for generating a ring signal to indicate an incoming call (*e.g.*, *Fig. 1-3, 3:20-44, 4:1-6, 13-18, 3:4-16*).

Allowable Subject Matter

Claims 7, 9-16, 18, and 20 are allowed.

The following is an examiner's statement of reason for allowance: see applicant's Appeal-Brief/Arguments, filed 10/10/2008, pages 17-18.

(10) Response to Argument

Claim 1-5, and 21-25 rejections under Claim Rejections - 35 USC 103(a):

Applicant's arguments with respect to rejected claims 1-5, and 21-25 under Claim Rejections-35 U.S.C.103(a) have been fully considered, but they are not persuasive.

A. Henon's System is similar to the invention

Henon's invention is relate to making call connections between a wireless telephone and a wired telephone in a telecommunication system (*e.g. Fig. 1*) that is similar to applicant's invention as to link wireless and wired telephone call connections in a telecommunication system (*e.g. Fig. 1*). For detailed arguments see below dependent claims 1, and 21.

B. Henon's Bluetooth Link can Carry Speech

Henon teaches the stationary telephones and the wireless telephone are equipped with short-range (110) wireless protocol that is Bluetooth for communications such as call connections over the short-range wireless links (*e.g. Fig. 1, 4-6, 1:58-64, 3:4-12, 17-20*). For clarification of the Bluetooth specification that includes voice channel refer to the second reference, Tada discloses that via Bluetooth speech channel (SCO) the call connections being made between the PC (1) and cellular phone (2) in telecommunication system (*e.g. Fig. 2, 5:14-21, 1, 6:3-15, 7:20-22, 59-63*). For detailed arguments see below dependent claims 1, and 21.

C - D. Tada and Henon obviate the applicant's invention

Both, Henon and Tada inventions are relate to making call connections between a wireless telephone and a wired device (telephone or PC) using short range (Bluetooth) in a telecommunication system (*Henon, e.g. Fig. 1; Tada, e.g., Fig. 1*) that is similar to applicant's invention as to link wireless and wired telephone call connections in a telecommunication system (*e.g. Fig. 1*). See below the dependent claims 1, and 21 arguments.

Independent Claim 1

The applicant argues (*see Brief pages 8-15*) that the reference Henon fails to disclose the features in the claim such as "*An arrangement in a telephony system comprising: at least one mobile radio telephone for being radio connected to a mobile radio telephony*

network in the telephony system via a radio link; and at least one stationary telephony terminal, wherein the stationary telephony terminal and the mobile radio telephone each have a short range transceiver for intercommunication via a short range wireless communication link; wherein the stationary terminal or the mobile radio telephone is arranged to establish a speech channel over the short range wireless communication link; and wherein the stationary telephony terminal is arranged to communicate speech over the mobile radio telephone network via the mobile radio telephone with another telephone including to transmit and receive speech signals over the speech channel established over the short range wireless communication link.”, the Examiner disagrees. Henon clearly shows that in a telecommunication (telephony) a radio telephone network (e.g. Fig. 1, 3) the wireless telephone (100, 312, 400) is being connected to the telephony network (e.g. 310) through radio link, the wired or “wireline” telephone (102, 314, 500) equipped with short-range transceivers (425), wireless telephone (100, 312, 400) equipped with short-range transceivers (525) and using short range link (e.g. 112) to make connections between the wired and wireless telephones, the wired (stationary) telephone (102, 314, 500) is making call (talk or speech or vice) connection over the cellular (mobile radio) network (e.g. 106) via wireless (mobile) telephone (100, 312, 400) with other telephone (e.g., 108), the short-range transceivers (e.g., 425, 525) of wireless (mobile) and wired (stationary) telephones transmit and receive voce (speech or call) signals via short-range wireless connection, where the radio link connects the wireless telephone and wired telephone to a base station (e.g., 104, 304) to PSTN or to a cellular network, and the a short range link connects the wireless and wired telephones (e.g. 112)

to each other. However, Henon does not specifically teach the speech channel, and that is why claims are rejected under Claim Rejections-35 U.S.C. 103(a), in related art dealing with mobile communication via short-range wireless link (*e.g.*, Fig 2-7), Tada teaches the speech channel (*e.g.*, Fig 2-7). Further, Henon's Bluetooth link can carry speech: Henon teaches the stationary telephones and the wireless telephone are equipped with short-range (110) wireless protocol that is Bluetooth for communications such as call connections over the short-range wireless links (*e.g.* Fig. 1, 4-6, 1:58-64, 3:4-12, 17-20), and for clarification of the Bluetooth specification that includes voice channel refer to the second reference, Tada discloses that via Bluetooth speech channel (SCO) the call connections being made between the PC (1) and cellular phone (2) in telecommunication system (*e.g.* Fig. 2, 5:14-21, 6:13-15, 7:20-22, 59-63).

Independent Claim 21

The applicant argues (*see Brief pages 8-15*) that the reference Henon fails to disclose the features in the claim such as *"A method for communicating in a telephony system via a communication arrangement including a mobile radio for communicating over a radio link with a mobile radio telephony network and a stationary telephony terminal, the method comprising: communicating via a short range wireless communication link between the stationary telephony terminal and the mobile radio telephone, where the short range wireless communication link is separate from the radio link; establishing a speech channel over the short range wireless communication link for carrying speech signals between the stationary telephony terminal and the mobile radio telephone; and*

communicating speech to or from the stationary telephony terminal over the mobile radio telephony network via the mobile radio telephone with another telephone communicating with the radio telephony network, said communicating speech including transmitting and receiving speech signals over the speech channel established over the short range wireless communication link.”, the Examiner disagrees. Henon clearly shows that in a telecommunication (telephony) a radio telephone network (*e.g. Fig. 1, 3*) the wireless telephone (*100, 312, 400*) is being connected to the telephony network (*e.g. 310*) through radio link, the wired or “wireline” telephone (*102, 314, 500*) equipped with short-range transceivers (*425*), wireless telephone (*100, 312, 400*) equipped with short-range transceivers (*525*) and using short range link (*e.g. 112*) to make connections between the wired and wireless telephones, the wired (stationary) telephone (*102, 314, 500*) is making call (talk or speech or vice) connection over the cellular (mobile radio) network (*e.g. 106*) via wireless (mobile) telephone (*100, 312, 400*) with other telephone (*e.g., 108*), the short-range transceivers (*e.g., 425, 525*) of wireless (mobile) and wired (stationary) telephones transmit and receive voce (speech or call) signals via short-range wireless connection, where the radio link connects the wireless telephone and wired telephone to a base station (*e.g., 104, 304*) to PSTN or to a cellular network, and the a short range link connects the wireless and wired telephones (*e.g. 112*) to each other. However, Henon does not specifically teach the speech channel, and that is why claims are rejected under Claim Rejections-35 U.S.C. 103(a), in related art dealing with mobile communication via short-range wireless link (*e.g., Fig 2-7*), Tada teaches the speech channel (*e.g., Fig 2-7*). Further, Henon’s Bluetooth link can carry speech: Henon teaches the stationary

telephones and the wireless telephone are equipped with short-range (110) wireless protocol that is Bluetooth for communications such as call connections over the short-range wireless links (*e.g. Fig. 1, 4-6, 1:58-64, 3:4-12, 17-20*), and for clarification of the Bluetooth specification that includes voice channel refer to the second reference, Tada discloses that via Bluetooth speech channel (SCO) the call connections being made between the PC (1) and cellular phone (2) in telecommunication system (*e.g. Fig. 2, 5:14-21, 6:13-15, 7:20-22, 59-63*).

Both references, Henon and Tada obviate applicant's invention.

Claims 2-5 and 22-25

Response to argument is moot as the applicant presented no argument in the Brief (*p. 8-18*), claims 2-5 and 25 are dependent of independent claim 1, claims 22-24 are dependents of independent claim 21 are rejected for the same reasons set for independent claims 1, and 21.

Claims 7, 9-16, 18, and 20

Claims 7, 9-16, 18, and 20 are allowed, therefore, argument with respect to claims 7, 9-16, 18, and 20 is moot.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related

Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/SHAIMA Q. AMINZAY/

Examiner, Art Unit 2618

December 18, 2008

Conferees:

/Matthew D. Anderson/

Supervisory Patent Examiner, Art Unit 2618

/Edward Urban/

Supervisory Patent Examiner, Art Unit 2618